

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, JULY 13, 19 93

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING July 13, 1993.
IN Regular SESSION. PRESIDENT Mark E. GiaQuinta
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND
Sandra E. Kennedy CITY CLERK, AT THE DESK, PRESENT THE
FOLLOWING MEMBERS _____ VIZ:

| | | |
|-------------------------|------------------------|--------------------------|
| BRADBURY <u>Present</u> | EDMONDS <u>Present</u> | GIAQUINTA <u>Present</u> |
| HENRY <u>Absent</u> | LONG <u>Present</u> | LUNSEY <u>Present</u> |
| RAVINE <u>Present</u> | SCHMIDT <u>Absent</u> | TALARICO <u>Present</u> |

ABSENT: _____

COUNCILMEMBER: _____

THE MINUTES OF THE LAST REGULAR June 22, 1993

SPECIAL _____, 19

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION,
APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana, and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings the Common Council of the City of Fort Wayne, Indiana, for its Regular Session, held on 13th day of July, 19 93, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 15th day of July, 19 93.

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE



Paul Helmke
Mayor

June 29, 1993

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Dear Councilmembers:

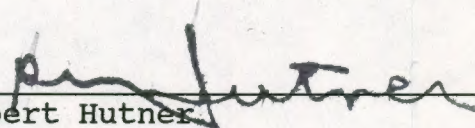
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-04-93, amending Chapter 157 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-93-06-18

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of June 1992.


Robert Hutner
Secretary

/pb

CC: File

An Equal Opportunity Employer
One Main Street, Fort Wayne, Indiana 46802

FACT SHEET

Z-93-06-18

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Map Amendment

APPROVAL DEADLINE**REASON**

From P.O.D. to RA

DETAILS**Specific Location and/or Address**

7014 No Clinton St

Reason for Project

Future duplex development.

Discussion (Including relationship to other Council actions)21 June 1993 - Public Hearing

(See Attached Minutes of Meeting)

28 June 1993 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO NOT PASS recommendation.

Of the seven (7) members present, six (6) voted in favor of the motion, one (1) did not vote.

Motion carried.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

City Department

Other

Opponents**Groups or Individuals**

See minutes for complete list of remonstrators.

Basis of Opposition

-duplexes would create a traffic problem and add to a serious water runoff problem in area

**Staff
Recommendation**☒ For ☐ Against

Reason Against

**Board or
Commission
Recommendation****By**☐ For ☒ Against
☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS

POLICY / PROGRAM IMPACT

| | |
|-------------------------------|--|
| Policy or Program Change | <input type="checkbox"/> No <input type="checkbox"/> Yes |
| | |
| | |
| | |
| Operational Impact Assessment | |
| | |
| | |
| | |

(This space for further discussion)

Project Start

Date 13 May 1993

Projected Completion or Occupancy

Date 29 June 1993

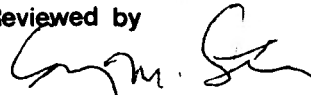
Fact Sheet Prepared by

Date 29 June 1993

Patricia A Biancaniello

Reviewed by

Date 6/30/93


Reference or Case Number

- a. Bill No. Z-93-06-18 - Change of Zone #540
From P.O.D. to RA
7014 No Clinton Street

Primary Development Plan for Oakchase Community

Bruce Franke, representing the owners of the property in question W & G Construction Group Inc., appeared before the Commission. He stated that they are asking for a downzoning for a parcel of ground from a P.O.D. to an RA District. He stated that they feel that the downzoning is in compliance with the Comprehensive Plan for the City of Fort Wayne. He stated that the Comprehensive Plan identifies this area as a medium residential area. He stated that the proposed development yields a density of 5.5 units per acre. He stated that they propose construction of 8 duplexes. He stated that each unit will have two bedrooms, a garage, 2½ bathrooms, a fireplace and they exceed the minimum square footage requirement as now stated in the current zoning ordinance for the city of Fort Wayne. He stated that they feel that a duplex development in this area is a compatible blend between the arterial street being North Clinton Street and the existing land use of R-1 as bordered on the north and the east by Concordia Gardens Subdivision. He stated that they are hoping through their development to adhere to the proposal that a proposed development should maintain the integrity of the area to be developed, in terms of drainage, topography and vegetation. He stated that they have worked with the landscape architect for the city and through some revisions and modifications they are trying to blend the existing vegetation, which is made up of large hardwood trees existing on the site, so that the destruction of those trees will be held to a minimum with the development. He stated that the southeast corner of the property has no building on it. He stated that is where the majority of the trees lie. He stated that the topography will not be changed dramatically over what exists now, except to build the pads to place the houses on and to build the street. He stated that the current P.O.D designation has a larger impervious area than what is being proposed by the duplexes. He stated that with a reduction in the impervious area it will reduce the amount of runoff from the site. He stated that if detention is required on the site there is room in the southeast corner of the property. He stated that the proposed development will not necessitate the construction of new facilities at the expense of the city of Fort Wayne. He stated that all infrastructure is in place and adjacent, if not on the site itself. He stated that the proposed development should not overburden, directly or indirectly, the capabilities of the public facilities and services in the immediate area. He stated that the buildings will be in harmony with their surroundings because of their low intensity. He stated that the properties are going to be available for resale. He stated they have access to Beechmont Drive immediately on the east side, they have 30 foot of frontage on that street. He stated that 30 foot of frontage will not allow them to divide the property by the Subdivision Control Ordinance since the ordinance necessitates that they have a 50 foot right-of-way for a dedicated public street. He stated that because of this

requirement they have had to go with the "horizontal property regime" which is a condominium type development, where the units can be sold off on an individual basis and there is no requirement as far as dedicated public streets in that type of development.

Ernest Evans questioned if the property were to be built for resale.

Mr. Franke stated that was the purpose of the development.

Mel Smith questioned what the price range would be for the duplexes.

Mr. Franke stated that each building will run around \$150,000.

Mel Smith stated that the plans show no play area for any children living in the development.

Mr. Franke stated that they have not been required by anyone to put together any information on a play area. He stated that there is enough open area that if a play ground facility needs to be constructed there is room for one.

Mel Smith asked if the developers had made any effort to contact the residents in the area regarding this development.

Mr. Franke stated that he had offered to meet with the neighborhood associations but it never came about. He stated that he spoke on the phone but has never spoke face to face with the area residents.

Dave Ross questioned if the streets are not to be dedicated, who would be maintaining them.

Mr. Franke stated that it would have to be maintained through fees from the condominium association.

The following people spoke in opposition to the proposed rezoning and primary development plan:

Chuck Shamos, 2212 Bellvue Dr, spoke as a member of the Concordia Neighborhood Association

William Miller, 6802 Mohawk Dr, Vice-President of Concordia Gardens Neighborhood Association

Raymond Moyer, 2114 Beechmont Dr

Dr. Ranasinghe Sisira, 2002 Beechmont Dr

Tim Starke, 6932 No Clinton St

Marge Buls, 2202 Garden Park Dr, President of the Concordia Gardens Neighborhood Association

Bill Wiegand, 6923 Province Dr

Harold Zietlow, 2104 Parkland Dr

Ron Teubert, 2070 Beechmont Dr

- when the P.O.D. was approved they made promises about the improvements that would be made on the property, no improvements

have been made, why should they believe they will keep their promises made with this new project

- storm water runoff is a serious problem in area, this will add to the problem - this concern was reiterated by most of the people speaking in opposition as one of the most serious problems facing this area

- pictures were submitted to the Commission showing the effects of the flooding in the area

- they have asked the city many times to declare a moratorium on additional surface runoff in the area

- do not want project to cut into Beechmont Drive for access, the additional traffic would be a burden that they did not feel the area could handle - it was stated that currently they have 355 homes in the subdivision and only one (1) ingress/egress

- streets in the area were very poorly planned, the hard surface is only 20 feet wide, on that 20 feet the children must walk to school, the streets do not have ample width for automobiles and children both

- Beechmont Drive is a cul-de-sac and it was stated in the newspaper that cul-de-sacs are the most desirable places to live and the plan presented was to take a cul-de-sac and open it up with a narrow street

- residents bought on a cul-de-sac for the privacy it afforded - this development will destroy that privacy

- it was questioned what they would use as a service drive for construction vehicles while this project was being built - the property currently shares a drive with the resident at 6932 N Clinton Street - if they use the drive at 6932 N Clinton Street will they repair any damages done to the drive after construction is complete

- it was questioned if the developer had financial backing for this project and what is the time frame on the construction of these duplexes

In rebuttal, Mr. Franke stated that some of the concerns he noted were the traffic, storm water runoff, and the time frame for the development. He stated that these concerns seem to be those of the majority of the people. He stated that it was his understanding that there is financing for the project. He stated that if the secondary development plan is approved the infrastructure improvements will be constructed on the property and at the same time the infrastructure improvements are being done there will be a maximum of three buildings constructed. He stated that once the three units are marketed an additional three units will be constructed. He stated that once those three are marketed the final two units would be built. At that time the existing office on the property will be demolished and one of the units will be built in its place. He stated that he understood the concerns of the Concordia Gardens neighborhood in that they are now routing the traffic from Clinton Street into their development. He stated that when the proposal was for office use it was in the best interest of the area that the entrance be from No Clinton Street. He stated that they were never pleased with the immediate location, since this property is not that far from the stacking lanes that are

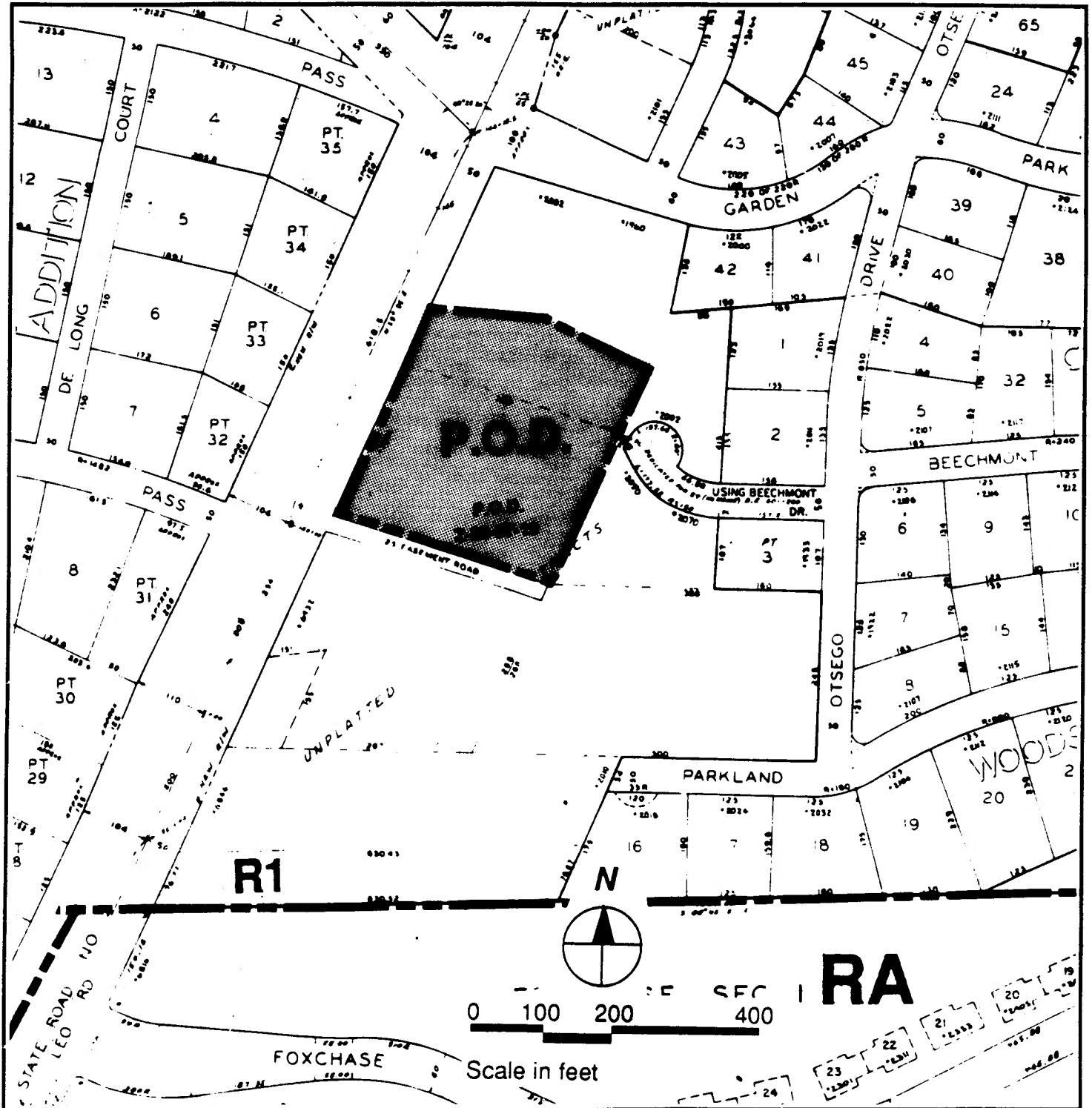
required to hold the traffic that are turning from No Clinton onto Old Auburn Road. He stated that this traffic quite often backs up and blocks their current entrance from No Clinton Street. He stated that he did not feel that you should put residential traffic out onto a main artery such as No Clinton Street. He stated that he felt it would create a very dangerous situation. He stated that in the review process for this plan the city wanted to close off the existing access that they and Mr. Starke currently have onto Clinton Street and they were happy to see them using Beechmont Drive as an access point. He stated that their proposal is to reduce the existing zoning on the property and the amount of the impervious area and the reduction in the impervious area is due to the development of duplexes. He stated that they must meet the requirements of the city when it comes to water runoff. He stated that they are looking into a comprehensive solution to help solve the problems of runoff in the area for the existing neighborhood and for their own project. He stated that they are also aware that if they can not come up with a solution that they must detain the water from this project on their property. He stated that they can use the property at the southeast corner of the property for detention. He stated although there will be more water in the area, it will not cause anymore problems than are currently existing in the area. He stated that they are willing to close off their portion of the shared driveway at the south end of the drive from Clinton Street. He stated however, if they close off the property they will have to run the construction traffic through Concordia Gardens. He stated that they are in a no win situation. He stated that they would prefer to keep the Clinton Street cut open for construction traffic. He stated that he would assume that the developer would have to put the driveway back into its pre-construction condition for the adjacent owner Mr. Starke.

There was no one else present who spoke in favor of or in opposition to the proposed rezoning and primary development plan.

REZONING PETITION

AREA MAP

CASE NO. #540



COUNCILMANIC DISTRICT NO. 3

Map No. P-42
LW 5-19-93

| | | | | | |
|-------|-------------------|-----|------------------------------|-----|--------------------|
| R1 | One-Family | B1 | Limited Business | M1 | Light Industrial |
| R2 | Two-Family | B2 | Planned Shopping Center | M2 | General Industrial |
| R3 | Multi-Family | B3 | General Business | M3 | Heavy Industrial |
| RA/RB | Residential | B4 | Roadside Business | MHP | Mobile Home Park |
| PUD | Planned Unit Dev. | POD | Professional Office District | | |

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on June 22, 1993 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-93-06-18; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 21, 1993.

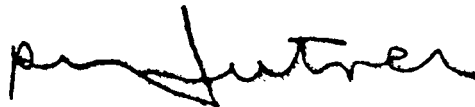
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the following "Findings of Fact".

- (1) the grant will be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual an unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 28, 1993.

Certified and signed this
29th day of June 1993.



Robert Hutner
Secretary

Bruce A. Franke, agent for W & G Construction Group Inc., requests a change of zone from P.O.D. to RA.

Location: 7014 North Clinton Street

Legal: See file

Land Area: Approximately 2.84 acres

Zoning: Professional Office District

| | | | |
|---------------|-------|-----|---------------------------|
| Surroundings: | North | R-1 | Single Family Residential |
| | South | R-1 | Residential |
| | East | R-1 | Single Family Residential |
| | West | R-1 | Open |

Reason for Request: Future duplex development

Neighborhood Assoc.: Concordia Gardens Neighborhood Association

Comprehensive Plan: The general land use policies of the Comprehensive Plan states that development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed.

This project is located within the North Sector of the Outer Ring. The goal of the Outer Ring is to encourage growth in a balanced manner that is within or adjacent to existing development in the urban service area.

Neighborhood Plan: No comment.

Landscape: No comment.

Planning Staff Discussion:

This site was previously rezoned to POD, over the recommendation of the Plan Commission, in order to allow development of the site as a multi-building office development. The full development has never taken place. Only one office building has been developed, and that was simply remodeled for use as an insurance office.

The developers have re-assessed the site potential due to marketing conditions and are now suggesting that the best possible land use may be in higher density residential development.

In order to develop the ground for single family residential lots,

the ground would have to be platted. A number of capital improvements would be required including dedicated streets. Due to the small acreage of this site, staff would prefer not to see another Clinton Street access, but would require development to utilize the non-arterial street (Beechmont Drive) for access. On a small acreage parcel, costs of capital improvements plus base land costs can result in a per lot cost that exceeds the probable market price for the lots. Additionally, the minimum standards and specifications for a dedicated residential street is fifty feet of right-of-way. The developer does not have fifty feet of frontage on Beechmont Drive, and would therefore require the Plan Commission to waive the requirement for dedicated public streets.

In order to develop multi-building multi-family, or condominiums, an RA classification is required. Under the development plan requirements for this classification, improvement expenses can be reduced. Streets can be private, thus eliminating the fifty foot right-of-way requirement. Water and sewer service can be off of private taps as opposed to main extensions. Additionally, staff can require the inclusion of certain landscape and buffering techniques in the site development.

Staff is concerned with the proposed rezoning and how it will blend into the area. The immediate surroundings are clearly single family residential, while some multi-family does exist to the south (Foxchase). The Comprehensive Plan encourages growth in this area, especially when it is compatible with the surroundings. While duplex units are not readily found in the immediate area, the low intensity of the development plan does create a compatible land use. Development will produce less traffic than if developed under the current zoning, and slightly less than the volume that could be generated if developed as a single family subdivision. The developers allegation that the highest and best use of the property is in residential development is consistent with the staff's position from 1988. Since the rezoning to POD had previously encouraged non-residential development, this downzoning request should allow a more appropriate use of the land, and the associated development plan will allow suitable site improvements.

Recommendation: Do Pass for the following reasons:

- 1) Approval is consistent with the intent of the Comprehensive Plan.
- 2) Approval will result in a compatible density of residential development through the development plan process.
- 3) Approval represents the highest and best use of the property.



MEMORANDUM

TO: City Council Members

FROM: Gary Stair *JS* Director of Planning, Community and Economic Development

DATE: June 29, 1993

SUBJECT: Recommendation from Plan Commission

The attached land use petition and lot vacation have been reviewed by the Fort Wayne Plan Commission and forwarded to you for final action. The Plan Commission's recommendation on each case, made after public hearing and review, has been certified by the Commission's Secretary and is summarized on the attached "Fact Sheet".

Occasionally, there will be a significant delay between the time the petition is filed and when the Plan Commission certifies its recommendation and forwards the case to you. This delay occurs when a petition receives "Conditional Approval" -- approval subject to the petitioner fulfilling certain obligations. In such cases the Plan Commission's staff holds the petition until all conditions have been met by the petitioner. Once all conditions have been satisfied, the case is forwarded to you.

As always, if you have any questions concerning the attached cases, please do not hesitate to call me or the Land Use Management staff at 427-1140.

/kp

1. Vacation Petition - Bill No. G-93-05-14

Amendment: Part of Lot 22 in Lakehurst Addition Sec "A" and any restrictive covenants for part to be vacated.

Location: Off of Vermont Lane

Applicant: Cedar Creek Development Inc

Proponents: Tim Ochs, attorney for petitioner

Opponents: David Lybarger, 9732 Moeller Road
Emory Jeffers, 5223 Vermont Lane
Ed Biggs, 5108 Vermont Lane

Summary of Discussion: This petition would allow Cedar Creek Development Inc., access to a new subdivision.

Staff Recommendation: Do Pass

Plan Commission Recommendation: Do Pass

Recommendation Given: May 24, 1993

Committee Session Date: The Committee Session date will depend upon the publication of the legal notice by Council staff.

1. Change of Zone - Bill No. Z-93-06-18

Amendment: From P.O.D. to RA

Location: 7014 N Clinton St

Applicant: W & G Construction Group Inc

Proponents: Bruce Franke, agent

Opponents: Chuck Shamos, 2212 Bellevue Dr, spoke as a member
of the Concordia Neighborhood Association
William Miller, 6802 Mohawk Dr, Vice-President of
Concordia Gardens Neighborhood Association
Raymond Moyer, 2114 Beechmont Dr
Dr. Ranasinghe Sisira, 2002 Beechmont Dr
Tim Starke, 6932 No Clinton St
Marge Buls, 2202 Garden Park Dr, President of the
Concordia Gardens Neighborhood Association
Bill Wiegand, 6923 Province Dr
Harold Zietlow, 2104 Parkland Dr
Ron Teubert, 2070 Beechmont Dr

Summary of Discussion: This rezoning would allow the petitioner to develop the property for duplexes.

Staff Recommendation: Do Pass

Plan Commission Recommendation: Do Not Pass

Recommendation Given: June 28, 1993

Committee Session Date: July 13, 1993



THE CITY OF FORT WAYNE



Paul Helmke
Mayor

June 29, 1993

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Dear Councilmembers:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of part of a platted lot and any restrictive covenants for part to be vacated.

The proposed ordinance is designated as:

Bill No. G-93-05-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of June 1992.


Robert Hutner
Secretary

/pb

CC: File

FACT SHEET

G-93-05-14

BILL NUMBER

**Division of Community
Development & Planning**

BRIEF TITLE

APPROVAL DEADLINE

REASON

Lot Vacation Ordinance

DETAILS**POSITIONS****RECOMMENDATIONS**

| |
|--|
| Specific Location and/or Address Part of Lot 22 in Lakehurst Addition Sec "A" |
| Reason for Project Access to a new subdivision. |
| Discussion (Including relationship to other Council actions) <u>17 May 1993 - Public Hearing</u> (See Attached Minutes of Meeting) <u>24 May 1993 - Business Meeting</u> Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation. Of the seven (7) members present, five (5) voted in favor of the motion, one (1) abstained and one (1) did not vote. Motion carried. |

| | |
|---|---|
| Sponsor | City Plan Commission |
| Area Affected | City Wide Other Areas |
| Applicants/ Proponents | Applicant(s) Cedar Creek Development Inc City Department Other |
| Opponents | Groups or Individuals David Lybarger, 9732 Moeller Ed Biggs, 5108 Vermont Ln Basis of Opposition -this cut would generate a tremendous amount of traffic into the existing Lakehurst Subdivision |
| Staff Recommendation | <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against |
| Board or Commission Recommendation | By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) |
| CITY COUNCIL ACTIONS (For Council use only) | <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass |

DETAILS

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 15 April 1993

Projected Completion or Occupancy

Date 22 June 1993

Fact Sheet Prepared by

Date 22 June 1993

Patricia Biancaniello

Reviewed by

Date 6/20/93

Reference or Case Number

a. Bill No. G-93-05-14 - Vacation Petition #538
Part of Lot 22 in Lakehurst Addition

Tim Ochs, attorney, for the petitioners appeared before the Commission. Mr. Ochs stated that they are requesting the vacation of a 7 foot easement as well as the vacation of Lot 22. He stated that they have been advised that there is a sanitary sewer in the easement and some overhead utilities. He stated that they are withdrawing the request for the vacation of the 7 foot easement. He stated all they are asking to vacate is the Lot. He stated that they are asking for the vacation because the owners of the Lot are developing Fieldstone Subdivision. He stated that it is going to be a two-family subdivision lying just to the north of this lot. He stated that the only access to the subdivision will be over Lot 22, and when the plat is recorded it will become Fieldstone Way. He stated that it appears from the examination of the covenants of Lakehurst Subdivision that the covenants expired by its own terms, however, the title company will not insure access to Fieldstone Place unless they vacate the plat. He stated that the Plan Commission has approved the primary development plan for Fieldstone Place and the staff comments are favorable.

Mel Smith questioned the length of the street.

Mr. Ochs stated that it would be 30 to 40 feet long.

Mel Smith questioned if the street would be developed to city standards.

Mr. Ochs stated that it would be.

Ernest Evans stated that his impression was that they were only vacating a portion of the lot and asked what would be done with the remainder of the lot.

Wayne O'Brien, Planner II, stated that there is evidence that parts of Lot 22 had been sold off to the owners of Lot 21 and Lot 23. He stated that the only portion of Lot 22 that currently exists is this 50 foot strip.

David Lybarger, 9732 Moeller Road, New Haven, IN, appeared before the Commission in opposition to the vacation. Mr. Lybarger stated that he was a property owner in the area; 5018, 5020, 5206, 5208, 5212 and 5214 Vermont Lane. Mr. Lybarger stated that due to the amount of the permanent cars that would be generated by the Fieldstone area, approximately 3 per duplex, that is about 87 cars. He stated that it would figure out to about 580 trips per day in and out of the area. He stated that he felt there was a need for more direct access in and out of Fieldstone. He stated that either from Lake Avenue or Reed Road. He stated that the present proposal to go from Lake Avenue to Lakehurst Drive to Vermont Lane then turn into Lot 22 is a lot of messing around to get into the new subdivision. He stated that he would like to propose to the Commission that they look into two other more direct routes. He stated that off of Reed Road there is a street called Madeira Drive

that runs east almost to Fieldstone Addition. He stated that this street could be extended, and a bridge built across Pierson Ditch. He stated that the other proposal is that there is a certain amount of property owned by Plumwood Apartments in the southwest portion. He stated that it could be used to run a street directly out onto Lakehurst Drive.

Emory Jeffers, 5223 Vermont Lane, appeared before the Commission. Mr. Jeffers stated that he was adding his support to Mr. Lybarger's proposals for alternate access to Fieldstone.

Charles Layton questioned Mr. Lybarger if he had any idea how much it would cost to build a bridge across Pierson Ditch.

Mr. Lybarger stated he did not.

Ed Biggs, 5108 Vermont Lane appeared before the Commission. Mr. Biggs stated that he was opposed to the vacating of Lot 22 in order to put in an entrance to Fieldstone Subdivision. He stated that he felt that the corner of Lakehurst and Lake Avenue was a traffic hazard presently. He stated that when Fieldstone was originally proposed it was for single family dwellings. He stated with an addition consisting of 58 duplexes the traffic would be tremendous. He stated he would appreciate the Commission looking into other access alternatives for Fieldstone.

Charles Layton questioned what the correct length of Lot 22 really was.

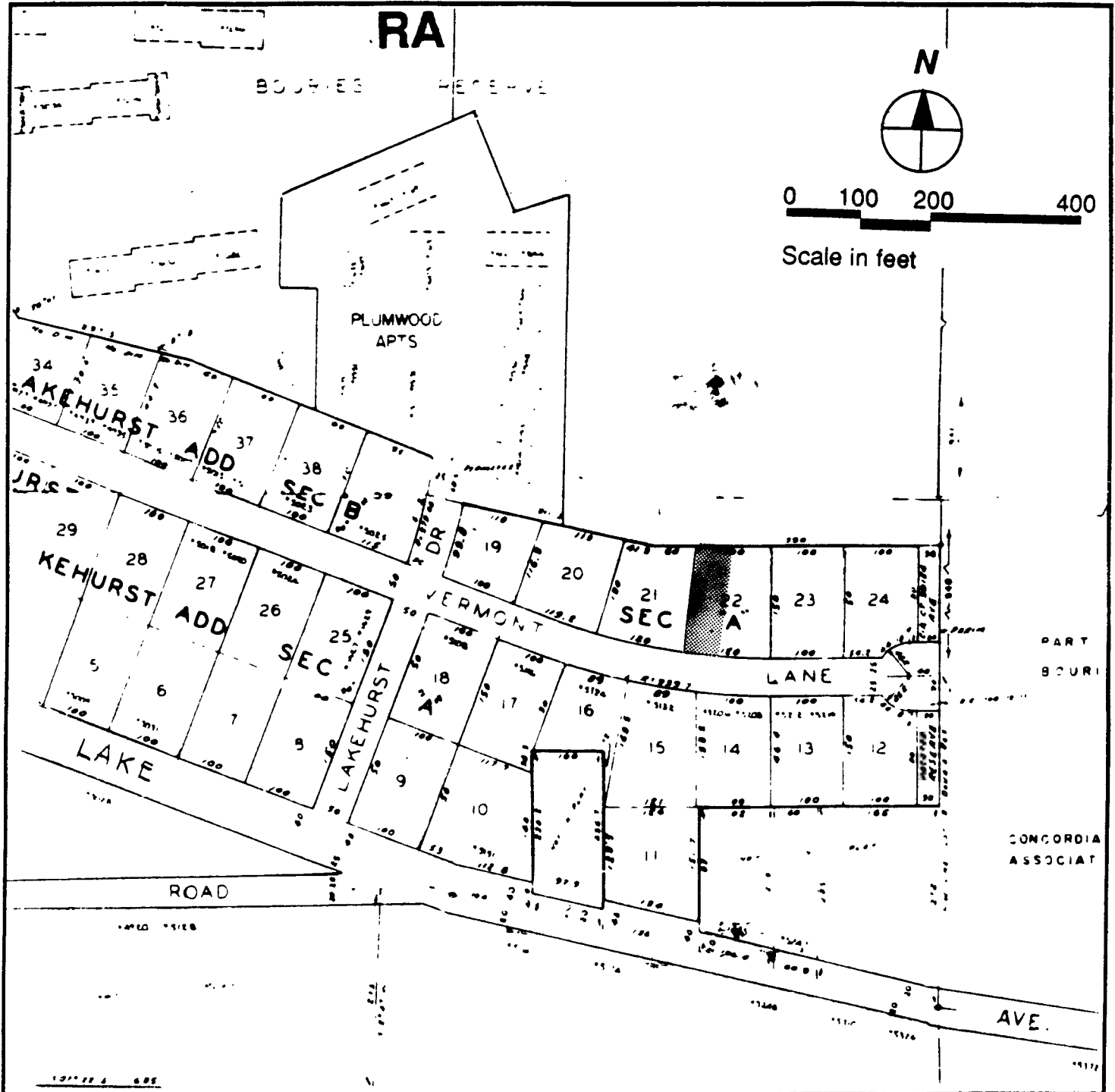
Tim Ochs, stated that the distance is the depth of Lot 22 which would be 150 feet. Mr. Ochs stated in rebuttal that the plat of Fieldstone was approved by the Plan Commission previously, the only reason that they were requesting the vacation is to obtain title insurance from the title company.

There was no one else present who spoke in favor of or in opposition to the proposed vacation.

VACATION PETITION

AREA MAP

CASE NO. #538



COUNCILMANIC DISTRICT NO. 1

Map No. T-10
LW 4-28-93

| | | | | | |
|--------------|-------------------|------------|------------------------------|------------|--------------------|
| R1 | One-Family | B1 | Limited Business | M1 | Light Industrial |
| R2 | Two-Family | B2 | Planned Shopping Center | M2 | General Industrial |
| R3 | Multi-Family | B3 | General Business | M3 | Heavy Industrial |
| RA/RB | Residential | B4 | Roadside Business | MHP | Mobile Home Park |
| PUD | Planned Unit Dev. | POD | Professional Office District | | |

James A. Federoff, attorney for Cedar Creek Development, Inc., requests the vacation of a portion of a platted lot, any restrictive covenants pertaining to that portion, and the platted easement.

Location: Off of Vermont Lane

Legal: E 50' of the W 63' of Lot 22 Lakehurst Addition Section A, and the utility easements along the northerly 7' of said part of lot to be vacated.

Land Area: Approximately 0.17 acres

Zoning: RA

Surroundings: North RA
South RA
East RA
West RA

Reason for Request: Access to a new subdivision

Neighborhood Assoc.: None

Neighborhood Plan: No comment.

Comprehensive Plan: The general land use policies of the Comprehensive Plan states that development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed.

This property is located within the Northeast Sector of the Outer Ring. The goal of the Northeast Sector is to maintain a balanced development pattern within the urban service area.

Landscape: No comment.

Planning Staff Discussion:

This vacation is requested in order to provide clear access to Fieldstone Place, a new residential subdivision to be developed by Cedar Creek Development, Inc.

The primary plat for Fieldstone Place has previously been approved by the Plan Commission, with access to Vermont Lane over a portion of Lot 22.

State law allows the owner of land in a plat to file for vacation of all or part of a platted area. As part of the petition filed, the petitioner must state the reasons for the vacation, describe the property to be vacated, and give the name and address of each owner of land within the plat. The petition may also include a request to vacate any recorded covenant or commitment filed as part of the plat (IC 36-7-3-11).

Petitioners have complied with the requirements of state law in the submittal of this petition, and subsequent mailing of notice to the property owners. Our files indicate that mail notice was sent April 21st by the petitioner. We have a copy of the notice and address list submitted by the petitioner, along with an affidavit of service.

Staff does not object to the vacation of this portion of the plat. The plat of Lakehurst Addition would appear to have provided access to the north from Lakehurst Drive, and from a thirty foot wide right-of-way located at the eastern end of the plat. Since that time the right-of-way has been vacated, and Plumwood Apartments has been developed at the northern end of Lakehurst Drive. Since the cemetery is located to the end of Lakehurst Addition, these changes along with other property sales have created a somewhat landlocked parcel located north of lots 20 through 24. Allowing a connection to Vermont Lane provides access to an existing street, and allows economical development of this northern acreage.

The covenants for Lakehurst Addition were established for a period of twenty-five (25) years from August 31, 1953. Staff has no objection to this portion of the vacation request. The questions was first broached in the primary plat review. Staff discussed the standing of the covenants with our attorney. After researching the covenants and caselaw, it was his opinion that the covenants have already expired.

Finally, the existing easement would be vacated and would be replaced by a new easement to allow continuation of utility services in the area.

Recommendation: Conditional Approval, contingent upon the petitioners providing new utility easements or relocations as needed, and for the following reasons:

- 1) Growth and orderly development are served by approving the vacation of a portion of the plat, thus allowing access to the northern acreage to be economically developed.
- 2) Approval of this petition will not in any way hinder access to public ways or public places.
- 3) Approval will not impact the land values in the area.

RESOLUTION 80-181-18

WHEREAS, CEDAR CREEK DEVELOPMENT INC, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated part of a platted lot and any restrictive covenants situated in Fort Wayne, Allen County, to-wit:

The East 50 feet of the West 63 feet of Lot No. 22 in Lakehurst Addition, Sec. "A", and any restrictive covenants for part to be vacated.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated part of a platted lot and any restrictive covenants has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated part of a platted lot and any restrictive covenants hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated part of a platted lot and any restrictive covenants hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated part of a platted lot and any restrictive covenants or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)) SS:
COUNTY OF ALLEN)

I, CHARLES E. LAYTON, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held JUNE 23, 1993 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 23 DAY OF June 1993

~~FORT WAYNE BOARD OF PUBLIC WORKS~~

Charles E. Layton
Director of Public Works

Katherine A. Carrier
Member, Board of Public Works

C. James Owen
Member, Board of Public Works

RESOLUTION

WHEREAS, CEDAR CREEK DEVELOPMENT INC, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated part of a platted lot and any restrictive covenants situated in Fort Wayne, Allen County, to-wit:

The East 50 feet of the West 63 feet of Lot No. 22 in Lakehurst Addition, Sec. "A", and any restrictive covenants for part to be vacated.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated part of a platted lot and any restrictive covenants has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

WHEREAS, said public hearing was held on May 17, 1993 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated part of a platted lot and any restrictive covenants.

WHEREAS, said vacation of dedicated part of a platted lot and any restrictive covenants has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated part of a platted lot and any restrictive covenants hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated part of a platted lot and any restrictive covenants hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated part of a platted lot and any restrictive covenants or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated part of a platted lot and any restrictive covenants or part in Allen County, Indiana.

STATE OF INDIANA))
COUNTY OF ALLEN) SS:

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held, May 24, 1993 and as the same appears of record in the official records of said Plan Commission.

June 29, 1993

President of the Common Council
City of Fort Wayne, Indiana

Council Members:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Numbers:

87/93/E, 88/93/D, 89/93/D, 90/93/D, 91/93/D, 92/93/D, 93/93/D,
94/93/E, 95/93/D and 96/93/D.

For the purpose of enforcement, please make this communication and
the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,

Payne D. Brown
Director Board of Safety

87/93/E

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/17/93 SHEET 1 OF 1 DATE April 08 1993

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: IMPAIRED MOBILITY ORDINANCE

Please be advised the following Residential (public street) Impaired Mobility Parking application has been submitted to this office as required by the Impaired Mobility Ordinance. The Traffic Engineering Department has reviewed this location and has prepared a map to identify it.

Pending your approval, this location will be properly identified with signs and submitted to Fort Wayne Police Department for selective enforcement.

It is hereby recommended the Board of Public Safety authorize the following:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

2812 Chestnut St. - south side - from 100' east of Roy St.
to 20' east thereof.

Respectfully submitted,


Tom Manny
Traffic Engineering

TM/lc

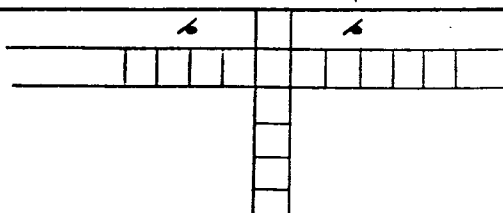
cc: Dennis Bruce
File

CHESTNUT ST.

100'

20'

ROY ST.



2812
CHESTNUT ST.

REGULATORY RESOLUTION NO. 87/93/E

(Adopted June 3, 1993)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of Said Chapter delegates to this Board authority to:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 8, 1993, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective May 6, 1993, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

| <u>IMPAIRED MOBILITY PARKING (RESIDENTIAL)</u> | | <u>(EMERGENCY)</u> |
|--|------------|--|
| 2812 Chestnut Street | south side | from 100' east of Roy Street to 20' east thereof |

88/93/D

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/21/93 SHEET 1 OF 1 DATE MAY 11, 1993

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PREFERENTIAL INTERSECTION

Please be advised our office has received a request to review the intersection of Eastway Dr. & Wildrose Dr. regarding control. A combination of accident experience and traffic volumes satisfies minimum warrants for yield control.

It is hereby recommended the Board of Public Safety authorize the following:

PREFERENTIAL INTERSECTION (DELEGATED)

Wildrose Dr. - preferential - at Eastway Dr.

Respectfully submitted,


Tom Manny
Traffic Engineering

TM/lc

cc: Richard Bacon
File

REGULATORY RESOLUTION NO. 88/93/D

(Adopted June 3, 1993)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of Said Chapter delegates to this Board authority to:

PREFERENTIAL INTERSECTION (DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 11, 1993, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective May 6, 1993, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Wildrose Drive preferential at Eastway Drive

89/93/D

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/22/93 SHEET 1 OF 1 DATE MAY 13, 1993

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PARKING REGULATION

Please be advised our office has received a request from Wayne Metal Protection Co. to remove parking on a portion of Dubois St. This is to allow their trucks to have safe and easy access to their loading dock.

It is hereby recommended the Board of Public Safety authorize the following:

NO PARKING (DELEGATED)

Dubois St. - west side - from Pennsylvania St. to its southern terminus.

Respectfully submitted,


Tom Manny
Traffic Engineering

TM/lc

cc: Richard Bacon
File

REGULATORY RESOLUTION NO. 89/93/D

(Adopted June 3, 1993)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of Said Chapter delegates to this Board authority to:

NO PARKING (DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 13, 1993, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective May 6, 1993, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

| | | |
|---------------|-----------|---|
| Dubois Street | west side | from Pennsylvania Street to southern terminus |
|---------------|-----------|---|

90/93/D

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/23/93 SHEET 1 OF 1 DATE MAY 18, 1993
TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY
FROM: TOM MANNY - TRAFFIC ENGINEER
SUBJECT: PREFERENTIAL INTERSECTION

Please be advised our office has received a request to review the intersection of Farwood Ave. and Hystone Dr. regarding control. A combination of traffic volumes and geometric design satisfies minimum warrants for Yield control.

It is hereby recommended the Board of Public Safety authorize the following:

PREFERENTIAL INTERSECTION (DELEGATED)

Farwood Ave. - preferential - at Hystone Dr.

Respectfully submitted,


Tom Manny
Traffic Engineering

TM/lc

cc: Richard Bacon
File

REGULATORY RESOLUTION NO. 90/93/D

(Adopted June 3, 1993)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of Said Chapter delegates to this Board authority to:

PREFERENTIAL INTERSECTION (DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 18, 1993, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective May 6, 1993, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Farwood Avenue preferential at Hystone Drive

91/93/D

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/24/93 SHEET 1 OF 1 DATE MAY 20, 1993

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PREFERENTIAL INTERSECTION

Please be advised our office has completed a review of the intersection of Chester Blvd. and Shamrock Rd. regarding control. A combination of restricted sight distance and geometric design satisfies minimum warrants for Yield control.

It is hereby recommended the Board of Public Safety authorize the following:

PREFERENTIAL INTERSECTION (DELEGATED)

Shamrock Rd. - preferential - at Chester Blvd.

Respectfully submitted,


Tom Manny
Traffic Engineering

TM/lc

cc: Richard Bacon
File

REGULATORY RESOLUTION NO. 91/93/D

(Adopted June 3, 1993)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of Said Chapter delegates to this Board authority to:

PREFERENTIAL INTERSECTION (DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 20, 1993, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective May 6, 1993, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Shamrock Road preferential at Chester Blvd.

92/93/D

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/25/93 SHEET 1 OF 1 DATE MAY 20, 1993

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PARKING REGULATION


Please be advised our office has received a letter from Craig L. Miller, Vice President of Mercy Ambulance, requesting a No Parking restriction on the north side of Dock St. Vehicles parking in this area create a hazard and make it difficult for ambulances to negotiate the intersection of Barr St. and Duck St.

It is hereby recommended the Board of Public Safety authorize the following:

NO PARKING (DELEGATED)

Duck St. - north side - for Barr St. to 90' west thereof.

Respectfully submitted,


Tom Manny
Traffic Engineering

TM/lc

cc: Richard Bacon
File

(Adopted June 3, 1993)

NO PARKING (DELEGATED)

NO PARKING (DELEGATED)

Duck Street north side for Barr Street to
90' west thereof

93/93/10

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/26/93 SHEET 1 OF 1 DATE MAY 20, 1993

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PARKING REGULATION

Please be advised our office has received a petition from Larry Evans, Owner of Marvel Cleaners, 602 Goshen Ave., requesting a No Parking restriction on Hensch St. This area is adjacent to State Blvd. and with vehicles parked close to the intersection it creates congestion and a traffic hazard.

It is hereby recommended the Board of Public Safety authorize the following:

NO PARKING (DELEGATED)

Hensch St. - west side - from State Blvd. to 115' north thereof.

Respectfully submitted,


Tom Manny
Traffic Engineering

TM/lc

cc: Richard Bacon
File

REGULATORY RESOLUTION NO. 93/93/D

(Adopted June 3, 1993)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of Said Chapter delegates to this Board authority to:

NO PARKING (DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 20, 1993, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective May 6, 1993, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

| | | |
|---------------|-----------|--|
| Hensch Street | west side | from State Blvd to 115' north thereof |
|---------------|-----------|--|

94/93/E

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/27/93 SHEET 1 OF 1 DATE JUNE 02, 1993

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: IMPAIRED MOBILITY ORDINANCE

Please be advised the following Residential (public street) Impaired Mobility Parking application has been submitted to this office as required by the Impaired Mobility Ordinance. The Traffic Engineering Department has reviewed this location and has prepared a map to identify it.

Pending your approval, this location will be properly identified with signs and submitted to Fort Wayne Police Department for selective enforcement.

It is hereby recommended the Board of Public Safety authorize the following:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1100 Harmar St. - west side - from 40' south of Jefferson to
60' south thereof.
(3 spaces for Turner Chapel
836 E. Jefferson Blvd.)

Respectfully submitted,

Tom Manny
Tom Manny
Traffic Engineering

TM/lc

cc: Dennis Bruce
File

REGULATORY RESOLUTION NO. 94/93/E

(Adopted June 3, 1993)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of Said Chapter delegates to this Board authority to:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 2, 1993, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective May 6, 1993, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

| <u>IMPAIRED MOBILITY PARKING (RESIDENTIAL)</u> | | <u>(EMERGENCY)</u> |
|--|-----------|--|
| 1100 Harmer Street | west side | from 40' south of Jefferson to 60' south thereof (3 spaces for Turner Chapel 836 E. Jefferson Blvd) |

95/93/D

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/28/93 SHEET 1 OF 1 DATE JUNE 02, 1993
TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY
FROM: TOM MANNY - TRAFFIC ENGINEER
SUBJECT: TRUCK LOADING ZONE

Please be advised our office has received a request from Parking Control to establish a Truck Loading Zone at a metered parking stall in the 200 block of E. Berry St. This will allow a legal space for trucks between the hours of 7:00 a.m. to 11:00 a.m.

It is hereby recommended the Board of Public Safety authorize the following:

NO PARKING TRUCK LOADING ZONE 7 A.M. TO 11 A.M. (DELEGATED)

Berry St. - north side - from 30' east of Clinton St. to 20' east thereof.

Respectfully submitted,


Tom Manny
Traffic Engineering

TM/lc

cc: Richard Bacon
File

REGULATORY RESOLUTION NO. 95/93/D

(Adopted June 3, 1993)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of Said Chapter delegates to this Board authority to:

NO PARKING TRUCK LOADING ZONE 7AM - 11 AM (DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 2, 1993, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective May 6, 1993, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

| | | |
|---|------------|---|
| <u>NO PRKING TRUCK LOADING ZONE 7 AM-11AM</u> | | <u>(DELEGATED)</u> |
| Berry Street | north side | from 30' east of Clinton Street to 20' east thereof |

96/93/D

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/29/93 SHEET 1 OF 1 DATE JUNE 02, 1993

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PREFERENTIAL INTERSECTION


Please be advised our office has received a request from the Fort Wayne Police Department to review two intersections on Woodbine Ave. following a recent traffic accident. It has been determined that each intersection warrants Yield control.

It is hereby recommended the Board of Public Safety authorize the following:

PREFERENTIAL INTERSECTION (DELEGATED)

| | | |
|-------------|------------------|------------------|
| Bowser Ave. | - preferential - | at Woodbine Ave. |
| Holton Ave. | - preferential - | at Woodbine Ave. |

Respectfully submitted,


Tom Manny
Traffic Engineering

TM/lc

cc: Richard Bacon
File

(Adopted June 3, 1993)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of Said Chapter delegates to this Board authority to:

PREFERENTIAL INTERSECTION (DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 2, 1993, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective May 6, 1993, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

| PREFERENTIAL INTERSECTION | | (DELEGATED) |
|---------------------------|--------------|--------------------|
| Bowser Avenue | preferential | at Woodbine Avenue |
| Holton Avenue | preferential | at Woodbine Avenue |